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Joel B. Cloud, Esq.

Customer Number

23368

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cynthia Roberts et al.

Application No.: 10/539,181

Filed: 06/02/2006

For: **Parametric Model Based Ablative
Surgical Systems and Methods**

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Group Art Unit: 3769

Confirmation No.: 2245

Examiner: Lipitz, Jeffrey Brian

Attorney Docket No.: OSU0011PA/41096.27

CERTIFICATION STATEMENT

ACCOMPANYING

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 form and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed document is not intended as an admission that any of the documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any of the listed documents as a competent reference against the claims of the present application.

Because Applicants assert that the finality of the Office action mailed March 7, 2011 was improper and have requested withdrawal of finality (*see* Response filed June 10, 2011), Applicants are filing the present information disclosure statement (IDS) with the fee set forth in 37 CFR §1.17(p). However, if the Commissioner determines that additional fees are necessary, or if a petition is required for acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No 041133 for any such fees, and Applicants hereby make any such petition.

Respectfully submitted,
Dinsmore & Shohl, LLP,

Date: June 10, 2011

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